



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

March 17, 2005

DONALD J. LEWIS and JOHN O. MICHELINI

Serial No. : 10/805,607

Group Art Unit: 3747

Filed : March 19, 2004

Examiner: Thomas Moulis

For : ELECTROMECHANICALLY ACTUATED VALVE CONTROL
FOR AN INTERNAL COMBUSTION ENGINE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

03/22/2005 BABRAHA1 00000139 061510 10805607

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BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97

☒ **37 C.F.R. § 1.97(d)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, on or before payment of the issue fee.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☒ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

AND

☐ A check in the amount of _____ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 06-1510.

CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

The present information disclosure statement includes any information noted above, along with a Form PTO-1449 (2 pages).

If applicable, a legible copy of the following is being included:

- (1) Each foreign patent or published foreign patent application, along with an English language abstract for all non-English foreign patent documents (identified by country or patent office, an appropriate document number, and the publication date).
- (2) Each publication (identified by published, author (if any), title, relevant pages of the publication, date, and place of publication).

If there are any questions regarding this submission, please contact the undersigned.

CERTIFICATE OF MAILING

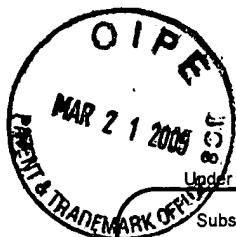
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 17, 2005.


Lauren Barberena

Respectfully submitted,
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TUTTLE LLP



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/805,607
Filing Date	March 19, 2004
First Named Inventor	Donald J. Lewis
Art Unit	2855
Examiner Name	Thomas Moulis
Attorney Docket Number	81100262

Sheet 1 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,976,228	12-11-1990	Kawamura	
		US- 5,117,790	06-02-1992	Clarke et al	
		US- 5,408,958	04-25-1995	Hans-Joachin et al	
		US- 5,617,829	04-05-1997	Bidner et al	
		US- 6,050,231	04-18-2000	Tisch et al	
		US- 6,178,934	01-30-2000	Hirasawa et al	
		US- 6,363,907	04-02-2002	Arai et al	
		US- 6,382,193	05-07-2002	Boyer et al	
		US- 6,397,813	06-04-2002	Han et al	
		US- 6,460,500	10-08-2002	Ooyama et al	
		US- 6,505,113	01-07-2003	Eichenseher et al	
		US- 6,526,745	03-04-2003	Oglso	
		US- 6,546,910	04-15-2003	Tanaka et al	
		US- 6,550,240	04-22-2003	Kolmanovsky et al	
		US- 6,647,947	11-18-2003	Boyer et al	
		US- 6,736,121	05-18-2004	Gopichandra	
		US- 6,766,641	07-27-2004	Surnilla et al	
		US- 2002/0038541	04-04-2002	Surnilla et al	
		US- 2003/0051465	03-20-2003	Kolmanovsky et al	

FOREIGN PATENT DOCUMENTS

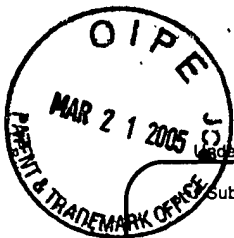
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Examiner Name	Thomas Moulis
Sheet	3	of	3	Attorney Docket Number	81100262

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KLUTING, FLIERL, GRUDNO and LUTTERMANN; MTZ Magazine, August 1999, "Drosselfreie Laststeuerung miy vollvariablen Ventiltrieben"	✓

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